

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7358 OF 2005

R.N.Talukdar .. Applicant
Versus
State of Maharashtra .. Respondent

Mr.Mahesh Jethmalani, Senior Advocate with
S.N.Raj i/b. Pranav Badheka for applicant
Mr.S.S.Pednekar, A.P.P. for State

WITH

CRIMINAL APPLICATION NO.7359 OF 2005

M.K.Kapoor .. Applicant
Versus
State of Maharashtra .. Respondent

Mr.Mahesh Jethmalani, Senior Advocate with
S.N.Raj i/b. Pranav Badheka for applicant
Mr.S.S.Tatkare, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 14th November 2005.

P.C.

. The above applications are for
anticipatory bail.

2. Learned A.P.P. has raised an objection to their maintainability on the ground that the applicants have not approached sessions court.

3. When these applications were placed before me in the vacation, considering the fact that the applicants are Assistant General Manager and Dy.Gen.Manager of Allahabad Bank, I had granted interim protection and the matter was placed today.

4. Although, Mr.Jethmalani would urge that there is no bar in this Court entertaining these applications and he places reliance upon decision of learned Single Judge of Karnataka High Court, in the case of Shivasubramanyam Vs. State through Chamarajanagar East Police Station decided on 30.1.2002, (Criminal Petition No.4386 of 2001), in my view, interest of justice would be served if in the present facts and

circumstances, the applicants are granted liberty to file applications seeking identical reliefs before the concerned sessions court. Mr.Jethmalani states that the applicants would approach the sessions court within Ten days from today. It is directed that interim protection granted by this Court would continue till the hearing and final disposal of the applications by the sessions court. Needless to state that the applicants shall cooperate in the investigation. Interim protection granted by this court will continue only if the applications for bail are filed within a period of 10 days from today in the sessions court.

(S.C.DHARMADHIKARI, J)